COURT TO RULE ON DA SUBPENA

T-P 1-16-69

Will Decide on Release of Autopsy Material

A sessions court hearing in Washington, D.C., Friday will determine whether or not the district attorney's office will get autopsy photographs and X-rays of President John F. Kennedy for the conspiracy trial of Clay L. Shaw, scheduled to begin Tuesday.

The DA's office will file another subpena designed to get the material Thursday with the clerk of criminal court.

The latest document, a subpena duces tecum, would direct U.S. archivist Dr. Robert H. Bahmer to produce the autopsy material in criminal court at 9:30 a. m. Tuesday.

A previous subpena, aimed at Dr. Rahmer personally, would direct him to appear in court at the same time with the material.

Asst. DA Numa Bertel Jr. will represent his office at the Washington hearing.

Both subpenas claim that the sought information will prove that Kennedy was shot from at least two directions, and that the fatal head wounds were inflicted from the front, and not from the rear, as the Warren Commission concluded.

President Lyndon Johnson ordered the autopsy information filed in the federal archives at the request of the Kennedy family.

Another preparation for the Shaw Trial was the subpeaning of seven more witnesses by the DA's office, bringing to 18 the number of known state witnesses for the trial.

WITNESSES SUBPENAED

The latest subpenas were for:

Ptn. Aloysius Habighorst, a New Orleans policeman involved in the booking of Shaw when he was arrested March 1, 1967. Habighorst claimed last year that Shaw admitted using the alias "Clay Bertrand" and signed a booking sheet with that name on it.

Ptn. Girod Ray, harbor police, who is reported to have arrested accused assassin Lee Harvey Oswald in 1963 when he was distributing political leaflets on the riverfront.

Capt. Francis Martello, a New Orleans policeman who questioned Oswald on Aug. 9,

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1963. Oswald and a Cuban refugee became involved in a fight in front of the International Trade Mart, then located in the 100 block of Camp, where Oswald was handing out leaflets.

John Manchester, town marshal of Clinton, La.

Sgt. Warren Robert Jr., a New Orleans policeman.

Capt. Roy Allemand, harbor police.

Charles H. Steele Jr., 2113 Selma, the only person subpeaned who was not a law officer.

Steele told the Warren Commission Oswald employed him to pass out leaflets in 1963.

STEELE'S TESTIMONY

According to Steele's testimony, he did not look at the contents and left when he saw television cameras trained on him. He denied seeing Oswald before or since the incident.

All are scheduled to appear at 10: a.m. Tuesday.

Another subpena, for an appearance before the Orleans Parish Grand Jury at 10:30 a.m. Thursday, was issued for Capt. Henry Spicer, director of international relations for International House.

Capt. Spicer said he discussed the matter with Asst. DA James L. Alcock later, and decided he was not the man the jury wanted.

Alcock was under the impression, Capt. Spicer said, that he had arranged a visit to New Orleans in December, 1966, of four military and political leaders from Venezuela.

The IH official said he informed Alcock of the proper person to contact in the deception center of the U. S. State Department.

Capt. Spicer said he was told to ignore the subpena.

The Venezuelan officials were Col. Angel Alberto Nalzadilla Irazabal, Jose Rafael Zapata Luigi, Isaias Medina Serfati and Comdr. Gustavo Enrique Baudet Chapelin.

TERRORIST TALKED

The four discussed a wave of anti-government terrorist attacks in Venezuela during a local interview.

Zapata was quoted as saying:

"One attack on a political figure gets more publicity than a month's attack in the mountains."

Medina criticized the late Sen. Robert F. Kennedy for his opposition to arms aid to Latin America.

Ptn. Habighorst last July produced an official police fingerprint card signed by Shaw. "Alias Clay Bertrand" was typed on the card.

Attorney Dean Andrews told the Warren Commission that a man he knew only as Clay Bertrand telephoned him the day after President Kennedy was shot to death in Dallas on Nov. 22, 1963, and asked him to defend Oswald.

Andrews is appealing a conviction on charges of perjury in connection with testimony about Bertrand he gave to the Orleans Parish Grand Jury.

DA Jim Garrison claimed that Shaw and Bertrand were the same person.

In his testimony before the Warren Commission, Capt. Martello said that Oswald told him he had applied for a visa from the State Department to go back to Russia.

He said Oswald indicated a preference for Russia, but added he was satisfied with neither Russia nor the U.S.